

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

**COLLEGE REPUBLICANS OF THE
UNIVERSITY OF WASHINGTON;**
CHEVY SWANSON, an Individual,
Plaintiffs,

vs.

ANA MARI CAUCE, in her official
capacity as president of the University of
Washington; **GERALD J. BALDASTY**, in
his official capacity as provost and
executive vice president; **RENE
SINGLETON**, individually and in her
official capacity as assistant director,
Student Activities; **CHRISTINA COOP**,
individually and in her official capacity
as senior activities advisor, Student
Activities; **JOHN N. VINSON**,
individually and in his official capacity
as Chief of the University of Washington,
Seattle, Police Department; **CRAIG
WILSON** individually and in his official
capacity as University of Washington,
Seattle, Police Department Patrol
Commander; and **DOES 1-25**;
Defendants.

No. 2:18-cv-00189

DECLARATION OF JOHN N. VINSON

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1

ATTORNEY GENERAL OF WASHINGTON

University of Washington Division
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1 I, John N. Vinson, state as follows:

2 1. I am over the age of eighteen and competent to testify herein.

3 2. I am employed by the University of Washington as Chief of Police of the University
4 of Washington Police Department. I have held this position since February 2009. In 2016, I was
5 also made Assistant Vice-President for Student Life, and I currently hold both positions.
6

7 3. I have over 24 years of law enforcement experience and am a graduate of the FBI
8 National Academy.

9 4. The UWPD is a fully commissioned police force, responsible for a full range of law
10 enforcement and public safety and security activities on the UW campus. As Chief, my
11 responsibilities include:
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- 13 • Oversight of a student-centered total workforce of 90 individuals, including 50
14 commissioned officers at various ranks;
- 15 • Planning, organizing, and leading members of the UWPD, including through
16 oversight of three labor unit contracts;
- 17 • Management of a biennium budget of \$13 million dollars, which is based in part on
18 monies recouped for special events, such as this one;
- 19 • Leading a triple accredited (CALEA, IACLEA, WASPC) agency responsible for
20 providing law enforcement services to a student population of 42,000 and a daytime
21 population of upwards of 72,000, inclusive of faculty, staff, and visitors, on a large,
22 urban campus, including a medical center;
- 23 • Oversight of major events on campus, including the 73,000-person football
24 stadium.
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1 5. UWPD regularly provides special event security for events on campus. As part of
2 this, UWPD provides security, as needed, for events hosted by Registered Student Organizations
3 (RSOs).

4 6. In my role as the Chief of UWPD, I am acutely aware of campus safety and security
5 concerns that often arise in connection with student-sponsored campus events. While the
6 University has an educational interest in allowing a broad spectrum of such events to take place,
7 the University also has an interest in providing adequate security for the safety of students and
8 participants in campus events. Depending upon the nature of the event, enhanced security needs
9 to be provided to ensure safety, which can be difficult and costly.

10 7. I was directly involved in the planning for an event sponsored by the UW College
11 Republicans (a RSO) in January 2017 that featured Milo Yiannopoulos as a keynote speaker. As
12 part of the regular security preparation, UWPD provided a cost estimate for security for the event,
13 which occurred in Kane Hall.

14 8. The January 2017 event drew a large crowd, including protestors, and security for
15 the event ended up costing UWPD \$44,655.48. In addition, the City of Seattle Police Department
16 incurred even larger expenses related to the event.

17 9. After the Milo Yiannopoulos event, the College Republicans were invoiced \$9,120
18 for UWPD security costs. The College Republicans paid the submitted invoice.

19 10. I have also been directly involved in the planning for the event at issue. On or about
20 January 12, UWPD became aware that the UW College Republicans were planning an event on
21 Red Square. Additional details were learned later.

11. In accordance with the Safety and Security Protocols for Events Sponsored by Student Organizations, the UWPD conducted an evaluation of the likely security costs, taking into account objective criteria to determine the estimated policing costs. A true and correct copy of this protocol is attached as Exhibit 1.

12. Based upon the UWPD review, Interim Chief Wilson and I determined that the estimated security costs for the event would be \$17,000. We based this estimate on the following objective facts, which were revealed by research performed by UWPD officers and staff under my direction:

- **Date.** The date of the planned event, including other events scheduled for the same day, which currently include
 - 51st Annual Lunar New Year Gala, Chinese Student Association, expecting over 750 people, rehearsal at noon, event starts at 7 p.m., Kane Hall (which is on Red Square);
 - ASUW 10th Annual Everybody Every Body Fashion Show 2018, 9 a.m. – 10 p.m., HUB;
 - 2018 Heritage Language Symposium, 9 a.m. – 4 p.m., Mary Gates Hall;
 - UWIB Closing the Gap Conference, 10 a.m. – 12 p.m., Boeing Auditorium;
 - Free Family Weekend Walks – Winter Safari, 1 – 2:30 p.m., Washington Park Arboretum; and
 - UW Gymnastics Sustainability Games, 1:30 p.m. start, Alaska Airlines Arena;
 - The Blank Monologues, 7:00 p.m. start, HUB;
 - Young, Gifted, and Black, all-day conference, PACCAR;

- 1 • **Location.** The location of the planned event: Red Square, which is a location with
2 multiple points of ingress and egress that presents security challenges due to its
3 configuration, access to multiple nearby buildings, and central location on campus;
- 4 • **Time.** The time of the planned event, including whether it is scheduled to occur during
5 daylight hours: this event is scheduled from 1:00 p.m. – 4:00 p.m.;
- 6 • **Size.** The size of the planned event, which UWPD estimated between 100-500
7 individuals based on representations from the College Republicans, social media
8 responses to College Republican postings relating to the event, and UWPD and SPD
9 experience;
- 10 • **Outside Speaker/Group.** UWPD considers whether an outside speaker or group are
11 being invited onto campus for an event, or the planned gathering is solely of UW
12 students, faculty, and other community members;
- 13 • **Other Events by Same Group.** UWPD researched other events involving Patriot
14 Prayer, both within the City of Seattle and nationwide, and actions by the supporters at
15 those events, including:
 - 16 ▪ August 13, 2017, Freedom Rally (Seattle)
 - 17 ▪ August 28, 2017, News Conference (San Francisco)
 - 18 ▪ September 10, 2017, Peaceful Vancouver Freedom March (Vancouver, WA)
 - 19 ▪ October 15, 2017, Support the American Flag (Salem, OR)
 - 20 ▪ December 9, 2017, March for Kate Steinle (Portland)
 - 21 ▪ January 27, 2018, Patriot Prayer at Planned Parenthood Rally (Olympia)

As part of its research, UWPD reviewed after action reports drafted by the law enforcement departments that provided security for the Seattle and Olympia events;

- **Threats to Speaker/Group.** UWPD researched threats to the speaker or group hosting the event. In this case, there appear to routinely be assaults against Joey Gibson at prior events, including:

- January 27, 2018, rally in Olympia where he was pepper sprayed
- August 27, 2017, rally in Berkeley where he was assaulted and pepper sprayed
- Late May-early June, 2017, when Gibson publically acknowledged receiving multiple death threats

UWPD takes these assaults and threats to life into consideration in determining the security presence needed to keep the speaker safe while he is present on campus.

- **Relevant Current Events.** UWPD also examines relevant current events expected to influence the amount of security needed for a planned event. On January 20, 2018, a group of protesters were present in Red Square, unsponsored, commemorating the shooting of their colleague during the Milo Yiannopoulos event. Members of the College Republicans chose to set up a table in Red Square during that event and interact in a way with members of the protest that required UWPD to separate the groups. UWPD expects that members of the College Republicans may act in a similar manner toward any protesters present during the Patriot Prayer event, requiring UWPD to protect the College Republicans and its supporters.

- **Weapons Risks.** UWPD also reviews whether there are any concerns relating to weapons at a planned event.

- 1 ▪ Patriot Prayer is a group that has members who have engaged in open carry in
- 2 the past. The University of Washington prohibits firearms on campus, and an
- 3 identifiable risk that individuals will bring firearms on campus increases the
- 4 security threat that must be addressed;
- 5 ▪ One of the groups that supports Patriot Prayer is known as the Proud Boys.
- 6 Proud Boys has a history of carrying weapons – both firearms and homemade
- 7 weapons. UWPD has reason to believe that this group may appear at the event.
- 8 The possibility that this may occur increases security needed for the event.
- 9

10 13. When estimating costs for security, after reviewing all of the relevant, objective
 11 criteria, Interim Deputy Chief Wilson and I determine the number of officers likely needed to
 12 ensure a safe event. In this case, UWPD anticipates providing 24 officers for 4.5 hours. That is
 13 then multiplied by UWPD's current standard recharge rate of \$157.52 per hour.

14 14. UWPD's assessment of the security costs for this event was not based on any
 15 consideration of the political viewpoint of the proposed speaker or the event participants, nor was
 16 it based on the past actions of groups who have indicated they might protest the event.

17 15. UWPD does not prevent groups who have not paid the security assessment from
 18 holding their events.

19 16. In January 2018, I was interviewed on the radio about the University's policies and
 20 procedures for campus groups hosting events on campus. During this interview, I did not agree
 21 that security fees for left-wing speakers are much lower than for conservative speakers because
 22 left-wing speakers do not have to fear being confronted with protests by conservative agitators. I
 23 stated that UWPD does not categorize groups as conservative or liberal. I confirmed that the
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1 security costs for an event featuring Shaun King with Black Lives Matter were lower than the fees
2 charged for the College Republicans' Milo Yiannopoulos event. I explained that the different
3 security costs were based UWPD's evaluation of the totality of the circumstances, and that we
4 considered any previous visits of campus, what had happened across the country at other venues,
5 the sponsor of the event, the date and time of the event, and where the event was held. As I stated,
6 "Our number one goal is to ensure that the environment is safe and secure for all who attend."
7

8 17. I believe it is the responsibility of UWPD to take appropriate steps to provide an
9 adequate level of security for such events and to protect the safety of the campus community and
10 security of University property. However, University funding available to cover the costs of such
11 security is limited.
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13 I declare under penalty of perjury under the laws of the State of Washington that the
14 foregoing is true and correct to the best of my knowledge.
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16 Dated this 8th day of February, 2018.



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18 JOHN N. VINSON
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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of February, 2018, I electronically filed the foregoing document with the Clerk of the United States District Court using the CM/ECF system which will send notification of such filing to all parties who are registered with the CM/ECF system.

- Kyle D Netterfield knetterfield@elmlaw.com, cwyer@elmlaw.com
- William J. Becker, Jr freedomxlaw@gmail.com, Bill@freedomxlaw.com

DATED this 8th day of February, 2018.

PACIFICA LAW GROUP LLP

By /s/ Paul J. Lawrence

Paul J. Lawrence, WSBA # 13557

Jamie L. Lisagor, WSBA # 39946

Attorneys for Defendants

EXHIBIT 1

Safety and Security Protocols for Events Sponsored by Student Organizations, Non-Academic University Users, and Non-University Users with Potential to Disrupt Campus Security, Safety and Operation

The University of Washington allows student organizations, other non-academic University groups, and non-University groups to use campus facilities for sponsored events. Campus rules and policies that govern these events are designed to support and facilitate safe and successful activities in venues owned and operated by the University. (See WAC 478-136-060)

Because the safety, security, and physical well-being of our campus community is of paramount concern to the University, it is the responsibility of any person or organization requesting the use of university facilities to comply with all applicable University policies, procedures, rules and regulations, and applicable local, state and federal laws, including but not limited to fire, health and safety regulations. This protocol will help facilitate such compliance.

When the use of campus facilities involves events, activities, and programs that are likely to significantly affect campus safety, security, and operation, the University will perform an analysis of all event factors. This could result in additional conditions and requirements placed on the host organization in order to maintain the safety and security of all organizing parties, guests attending, and the broader campus community. Safety and security concerns may include, but are not limited to, history or examples of violence, bodily harm, property damage, significant disruption of campus operations, and those actions prohibited by the campus code of conduct and state and federal law.

During the planning process, host organizations or groups are responsible for making the University aware of any known histories and/or issues of safety and security concerns. The University (i.e., venue coordinator and UWPD) may review all event details and logistics to determine necessary safety and security protocols. Additionally, if previously unknown or new safety and security concerns arise during the planning process, the University will review the event details and may alter any conditions and requirements. Any determination by authorized campus officials will be based on an assessment of credible information other than the content or viewpoints anticipated to be expressed during the event. Other events taking place on or near campus will be taken into consideration in the security review. Required security measures may include, but are not limited to, adjusting the venue, date, and timing of the event; providing additional law enforcement; imposing access controls or security checkpoints limiting costumes or items carried; and/or creating buffer zones around the venue.

The host organization or group will be required to pay costs of reasonable event security as determined in advance by the University. These costs include, but are not limited to security personnel, costs to secure the venue from damage, and special equipment as determined by law enforcement. Security fees will be based on standard and approved recharge rates for UWPD, other security personnel, and associated equipment costs or rentals. Should the University place supplementary security protocols prior to or during the event to provide adequate security to help mitigate any originally unforeseen security concerns, additional security fees may be charged to host organizations or groups. Host organizations are financially responsible for damage, inside or outside of the venue, caused by members of their organization or their invitees.

The University reserves the right, in rare circumstances, to cancel an event if based on information available it is reasonably believed that there is a credible threat which unreasonably places the campus community at risk of harm.

Established 9/25/17

Policies

Safety and Security Protocols for Events

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FORMS

ALCOHOL SERVICE REQUEST FORM

UUF REQUEST FORM